

DOCKET NO.: 267265US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTENTION: **MAGDALEN GREENLIEF**
OFFICE OF THE DEPUTY COMMISSIONER
PATENT EXAMINATION POLICY

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RE: Application Serial No.: 10/529,477

Applicants: Hiromichi MINAKAWA

Filing Date: March 28, 2005

For: METHOD OF MICROWAVE COOKING OF RAW
MEAT AND RAW MARINE PRODUCT,
SEASONING FOR MICROWAVE COOKING, AND
FOOD FOR MICROWAVE COOKING

Group Art Unit: 1761

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH)
PILOT PROGRAM BETWEEN THE JPO AND THE USPTO WITH ATTACHED
APPENDICES A THROUGH J**

Our credit card payment form in the amount of \$130.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

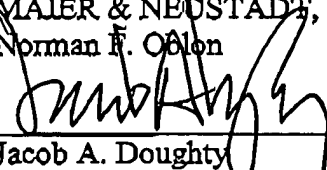
Respectfully submitted,

Customer Number

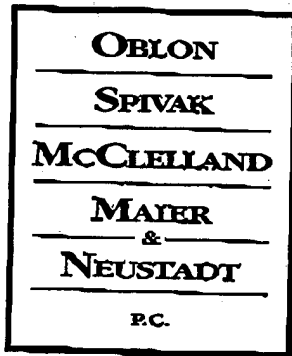
22850

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PLEASE CALL US AT (703) 413-3000 IF THE MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

I hereby certify that this correspondence is being facsimile transmitted to:

Attn: Magdalen Greenlief

Alexandria, VA 22313-1450

Telephone (571) 272-8850

Facsimile : (571) 273-0125

on Date: 12/17/07Signature: Total number of pages including this page: 90OSMM&N File No. 267265US0PCTDept.: ChemicalBy: NFO/JAD/mamSerial No. 10/529,477In the matter of the Application of: Hiromichi MINAKAWAFor: METHOD OF MICROWAVE COOKING OF RAW MEAT AND RAW MARINE PRODUCT,
SEASONING FOR MICROWAVE COOKING, AND FOOD FOR MICROWAVE COOKINGDue Date: N/A

- Credit Card Form for \$130.00
- Dep. Acct. Order Form
- PTO Cover Letter
- Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program Between the JPO and the USPTO with attached Appendices A through J

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PTO/SB/20 (09-07)

Approved for use through 12/31/2008. OMB 0651-0058

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE (1) JPO OR (2) UKIPO, AND THE USPTO

Application No.:	10/529,477	First Named Inventor:	Hiromichi MINAKAWA
Filing Date:	March 28, 2005	Attorney Docket No.:	267265US0PCT
Title of the Invention:	METHOD OF MICROWAVE COOKING OF RAW MEAT AND RAW MARINE PRODUCT, SEASONING FOR MICROWAVE COOKING, AND FOOD FOR MICROWAVE COOKING		

THIS REQUEST FOR PARTICIPATION IN THE PPH PILOT PROGRAM MUST BE FAXED TO:
THE OFFICE OF THE COMMISSIONER FOR PATENTS AT 571-273-0125 DIRECTED TO THE ATTENTION OF MAGDALEN GREENLIEF

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PILOT PROGRAM.

The above-identified application validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s) or UKIPO application(s).

The ☒ JPO ☐ UKIPO application number(s) is/are: 2002-338599

The filing date of the ☒ JPO ☐ UKIPO application(s) is/are: 10/17/02

I. List of Required Documents:

- a. A copy of all JPO office actions (excluding "Decision to Grant a Patent") in the above-identified JPO application(s), or a copy of all UKIPO office actions in the above-identified UKIPO application(s).

☒ Is attached. (see Appendices A and B)

☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System.

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

- b. A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s), or a copy of all claims which were determined to be patentable by the UKIPO in the above-identified UKIPO application(s).

☒ Is attached. (see Appendix C)

☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System.

- c. English translations (where applicable) of the documents in a. and b. above along with a statement that the English translations are accurate are attached. (see Appendices D to G)

Information disclosure statement listing the documents cited in the JPO office actions or UKIPO office actions is attached. (see Appendix H (references not identified on IDS are already of record in this application))
Copies of all documents are attached except for U.S. patents or U.S. patent application publications.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. FAX COMPLETED FORMS TO: Office of the Commissioner for Patents at 571-273-0125, Attention: Magdalen Greenlief.

PTO/SB/20 (09-07)

Approved for use through 12/31/2008. OMB 0651-0058

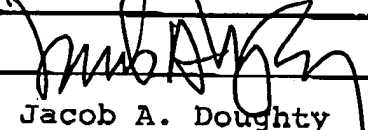
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM
BETWEEN THE (1) JPO OR (2) UKIPO, AND THE USPTO**
(continued)Application No.: **10/529,477** First Named Inventor: **Hiromichi MINAKAWA****II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in JP/UKIPO Application	Explanation regarding the correspondence
		see Appendices I and J

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JPO or UKIPO application.**IV. Payment of Fees:**The Commissioner is hereby authorized to charge the petition fee under 37 CFR 1.17(h) as required by 37 CFR 1.102(d) to ☒ Deposit Account No. 15-0030☒ Credit Card. Credit Card Payment Form (PTO-2038) is attached.

Signature		Date	12/17/07
Name (Print/Typed)	Jacob A. Doughty	Registration Number	46,671

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

APPENDIX J

Claims Correspondence Table

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

CLAIMS CORRESPONDENCE TABLE

Claims in US Application	Patentable Claims in JP Application	Explanation regarding the correspondence
Claim 1	Claim 1	Claim 1 of the US application is substantially identical to claim 1 of the JP application.
Claim 2	--	Claim 2 of the US application has been cancelled.
Claim 3	Claim 2	Claim 3 of the US application is substantially identical to claim 2 of the JP application.
Claim 4	Claim 3	Claim 4 of the US application is substantially identical to claim 3 of the JP application.
Claim 5	Claim 4	Claim 5 of the US application is substantially identical to claim 4 of the JP application.
Claim 6	Claim 5	Claim 6 of the US application is substantially identical to claim 5 of the JP application. US claim 6 differs from JP claim 5 only in that US claim 6 depends solely from US claim 4, while JP claim 5 depends from JP claim 3 or 4.
Claim 7	Claim 6	Claim 7 of the US application is substantially identical to claim 6 of the JP application. US claim 7 differs from JP claim 6 only in that US claim 7 depends solely from US claim 4, while JP claim 6 depends from any of JP claims 3 to 5.
Claim 8	Claim 6	Claim 8 of the US application is substantially identical to claim 6 of the JP application. US claim 8 differs from JP claim 6 only in that US claim 8 depends solely from US claim 5, while JP claim 6 depends from any of JP claims 3 to 5.
Claim 9	Claim 6	Claim 9 of the US application is substantially identical to claim 6 of the JP application. US claim 9 differs from JP claim 6 only in that US claim 9 depends solely from US claim 6, while JP claim 6 depends from any of JP claims 3 to 5.
Claim 10	Claim 5	Claim 10 of the US application is substantially identical to claim 5 of the JP application. US claim 10 differs from JP claim 5 only in that US claim 10 depends solely from US claim 5, while JP claim 5 depends from JP claim 3 or 4.

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

CLAIMS CORRESPONDENCE TABLE (cont'd)

Claims in US Application	Patentable Claims in JP Application	Explanation regarding the correspondence
Claim 11	—	Claim 11 of the US application has been cancelled.

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

APPENDIX G

Statement Regarding Accuracy of English-Language
Translations

DOCKET NO: 267265US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROMICHI MINAKAWA : EXAMINER: LEFF, STEVEN N.
SERIAL NO: 10/529,477 :
FILED: MARCH 28, 2005 : GROUP ART UNIT: 1761
FOR: METHOD OF MICROWAVE :
COOKING OF RAW MEAT AND RAW
MARINE PRODUCT, SEASONING FOR
MICROWAVE COOKING AND FOOD
FOR MICROWAVE COOKING

STATEMENT REGARDING ACCURACY OF ENGLISH-LANGUAGE
TRANSLATIONS

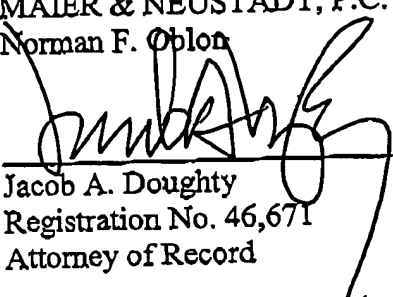
COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants state that the English-language translations provided as Appendices D-F to the Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program and Petition to Make Special under the PPH Pilot Program, filed herewith, are accurate.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Jacob A. Doughty
Registration No. 46,671
Attorney of Record

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(OSMMN 06/04)

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265USOPCT

APPENDIX C

Copy of Claims Determined to be Patentable by JPO

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

APPENDIX C

English-Language Translation of Copy of Claims Determined to
be Patentable by JPO

Allowable claims of the Japanese application

[Claim 1]

A method for microwave cooking a raw meat or a raw marine product, said method comprising:

preparing a seasoning comprising at least an organic acid selected from the group consisting of an acetic acid, a citric acid, a succinic acid, a malic acid, a lactic acid, a butyric acid and a tartaric acid, a starch, a thermosetting protein and an edible fat and oil,

applying the seasoning to said raw meat or said raw marine product, and subjecting said raw meat or said raw marine product having the seasoning applied thereto and remaining unheated, to microwave heating.

[Claim 2]

The method according to claim 1, wherein said seasoning further comprises a melanoidin.

[Claim 3]

A seasoning for microwave cooking a raw meat or a raw marine product, comprising an organic acid-comprising food comprising at least an organic acid selected from the group consisting of an acetic acid, a citric acid, a succinic acid, a malic acid, a lactic acid, a butyric acid and a tartaric acid, a starch, a thermosetting protein and an edible fat and oil.

[Claim 4]

A seasoning for microwave cooking a raw meat or a raw marine product, comprising an organic acid-comprising food comprising at least an organic acid selected from the group consisting of an acetic acid, a citric acid, a succinic acid,

a malic acid, a lactic acid, a butyric acid and a tartaric acid, a starch, a thermosetting protein, an edible fat and oil and a melanoidin.

[Claim 5]

The seasoning for microwave cooking a raw meat or a raw marine product according to claim 3 or 4, wherein said organic acid-comprising food is a fermented food.

[Claim 6]

The food for microwave cooking comprising a raw meat or a raw marine product to which the seasoning according to any one of claims 3 to 5 is applied.

JP 3687072 B2 2005.8.24

(19) 日本国特許庁(JP)

(12) 特 許 公 報 (B2)

(11) 特許番号

特許第3687072号

(P3687072)

(45) 発行日 平成17年8月24日(2005.8.24)

(24) 登録日 平成17年6月17日(2005.6.17)

(51) Int. Cl.

F1

A23L 1/31
A23L 1/01
A23L 1/22
A23L 1/325

A23L 1/31 A
A23L 1/01 C
A23L 1/22 C
A23L 1/325 A

請求項の数 6 (全 9 頁)

(21) 出願番号 特願2002-338599 (P2002-338599)
(22) 出願日 平成14年10月17日(2002.10.17)
(65) 公開番号 特開2004-135646 (P2004-135646A)
(43) 公開日 平成16年5月13日(2004.5.13)
審査請求日 平成14年10月17日(2002.10.17)

早期審査対象出願

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(72) 発明者 皆川 弘道
茨城県水戸市瀧門町4636-5

審査官 小石 真弓

(56) 参考文献 特開平11-103790 (JP, A)
特開平10-234314 (JP, A)
特開2001-128624 (JP, A)
特開平05-091655 (JP, A)
特開平07-227241 (JP, A)

最終頁に続く

(54) 【発明の名称】 生肉や生水産物の電子レンジ調理方法及び電子レンジ調理用調味料、及び電子レンジ調理食品

(57) 【特許請求の範囲】

【請求項1】

電子レンジを用いて生肉や生水産物を調理する方法であって、少なくとも酢酸、クエン酸、コハク酸、リンゴ酸、乳酸、酪酸、酒石酸の何れかから選ばれた有機酸と、デンプン質と、熱硬化タンパク質と、食用油脂とを含む調味料を調製し、この調味料を生肉や生水産物に塗布し、その後、未加熱のまま調味料を塗布した生肉や生水産物を電子レンジで加熱することを特徴とする生肉や生水産物の電子レンジ調理方法。

【請求項2】

前記調味料には、メラノイジンがさらに含まれていることを特徴とする請求項1に記載の生肉や生水産物の電子レンジ調理方法。

【請求項3】

少なくとも酢酸、クエン酸、コハク酸、リンゴ酸、乳酸、酪酸、酒石酸の何れかから選ばれた有機酸を含む有機酸含有食品とデンプン質と熱硬化タンパク質と食用油脂とからなることを特徴とする生肉や生水産物の電子レンジ調理用調味料。

【請求項4】

少なくとも酢酸、クエン酸、コハク酸、リンゴ酸、乳酸、酪酸、酒石酸の何れかから選ばれた有機酸を含む有機酸含有食品とデンプン質と熱硬化タンパク質と食用油脂とメラノイジンとからなることを特徴とする生肉や生水産物の電子レンジ調理用調味料。

【請求項5】

前記有機酸含有食品は、発酵食品であることを特徴とする請求項3または4に記載の生

15

20

(2)

JP 3587072 B2 2005.8.24

肉や生水産物の電子レンジ調理用調味料。

【請求項6】

生肉や生水産物に、前記請求項3から5の何れか一項記載の電子レンジ調理用調味料を塗布したことを特徴とする電子レンジ調理食品。

【発明の詳細な説明】

【0001】

【発明の属する技術分野】

本願発明は、電子レンジだけで生肉や生水産物を加熱調理するようにした電子レンジ調理方法と電子レンジ調理用調味料、及び電子レンジ調理食品に係り、詳しくは、電子レンジにて加熱調理する際に生臭が発生することなく解消され、また、焼いたような焦げ目が付くようにした、生肉や生水産物の電子レンジ調理方法と電子レンジ調理用調味料、及び電子レンジ調理食品に関する。

【0002】

【従来の技術】

電子レンジを用いて調理されてなる食品（以下、「電子レンジ食品」という。）は、調理の際に火を使わず、電子レンジによって加熱することで、キッチンを汚してしまうことなく食品を可食状態まで手軽に調理することが出来、また、一人分といった少量でも手間が掛からず所望の量だけ簡単に調理出来ることから、近年その需要が非常に高まってきている。

【0003】

ところが、生肉や生水産物を電子レンジでそのまま加熱調理すると、加熱始めに生臭い様な臭いが発生してしまうとともに、電子レンジでは焦げ目を付ける焼き調理が出来ないのであった。そのため、生肉や生水産物の場合、電子レンジ食品としては、予め焼き調理済みの食品を電子レンジで温め直すようにした、調理ではない単なる加熱処理を施すものしかなかった。そして、この焼き調理済みの食品の場合は、確かに電子レンジで加熱しても生肉や生水産物の生臭い様な臭いが発生してしまうことは無いが、電子レンジで温め直すと加熱後食品表面に水分が出てしまい、焼き調理後に蒸し調理をしたようで、とても満足出来るものではない。

【0004】

そこで、現在では、電子レンジによる加熱調理でも焼いたような焦げ目を付けるようにした種々の手段が提案されている。例えば、第一の手段として、フィルム状もしくはシート状の基材の表面に、金属薄膜もしくは金属・金属酸化物混合体を蒸着によって設けたマイクロ波発熱層を設け、この基材で食品自体を包むことにより、電子レンジでの加熱時に基材表面で発熱させ、その熱で食品の表面を焼くようにしたものがある（特許文献1参照）。

【0005】

また、第二の手段として、シートに食用油脂を含ませるか、塗布したもので食品自体を包み込み、電子レンジでの加熱時に食用油脂によって食品表面の温度を上昇させ、これにより食品の表面を焼くようにしたものもある（特許文献2参照）。

【0006】

さらに、第三の手段として、カラメル色素および増粘剤を含む褐色着色組成物を食品（ドウクラスト）の表面に適用し、電子レンジでの加熱によるマイクロ波により褐色反応させるようにしたものもある（特許文献3参照）。

【0007】

【特許文献1】

特開平10-117941号公報

【特許文献2】

特開2000-142829号公報

【特許文献3】

特開平9-107867号公報

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265USOPCT

APPENDIX A

Notice of Reasons for Rejection (First Office Action)

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

APPENDIX D

English-Language Translation of Notice of Reasons for
Rejection (First Office Action)

First office action Page 1 of 3

NOTIFICATION OF REASONS FOR REJECTION

Patent Application Number: 2002-338599
Drafting date: April 20, 2004
Examiner: Mayumi Koishi 9727 4N00
Applicant: YUGEN KAISHA MINAKAWA SHOTEN
Applicable article of the Law: Section 29, (2) of the Patent Law

This application should be rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 days of the mailing date hereof.

REASONS

The invention according to the claims below is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could have been easily made prior to this application by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention described in the following publications distributed in Japan or a foreign country prior to this application or the invention made available to the public through electric telecommunication lines in Japan or a foreign country prior to the application.

REMARKS

(The List of Cited Documents is shown below)

- Re: Claims 1-6
- Cited Documents 1-3

First office action Page 2 of 3

Cited document 1 describes a composition containing an amino acid (organic acid) and a protein and capable of giving a burning (golden brown) appearance in microwave cooking.

Cited document 2 describes a constitution in which starch is added to a composition capable of giving a burning (golden brown) appearance in microwave cooking in order to retain the composition on the surface of food.

Cited document 3 (paragraph [0021]) describes a constitution in which fat and oil is added to a composition as mentioned above in order to facilitate browning of food.

The inventions set forth in cited documents 1, 2 and 3 all are concerned with a technique regarding a composition capable of giving burning (golden brown) appearance in microwave cooking. Therefore, a person with ordinary skill in the art could have easily arrived at the constitution of the invention of the subject application by applying the constitution of the inventions according to cited documents 2 and 3 to the inventions set forth in cited documents 1 and 2.

Furthermore, cited document 1 exemplifies grilled fish as applicable food of the composition. It is not recognized that there is particular difficulty for a person with ordinary skill in the art to employ raw fish and raw meat in place of fish.

It is also recognized that a person with ordinary skill in the art could have easily added a fermented food such as soybean paste and soy sauce to the aforementioned composition for seasoning, as needed, and a component such as melanoidin to the composition for giving a burning appearance.

First office action Page 3 of 3

List of Cited Documents

1. Japanese Patent Application Laid-Open No. 11-103790
 2. Japanese Patent Application Laid-Open No. 2001-128624
 3. Japanese Patent Application Laid-Open No. 10-234314
-

Record of Prior Art Search Report

- Searched Field: IPC 7th ed.
A23L1/01
A23L1/22-308

The record of the prior art search report does not constitute the reasons for rejection.

P. 1

拒絶理由通知書

特許出願の番号	特願 2002-338599
起案日	平成 16 年 4 月 20 日
特許庁審査官	小石 真弓 9727 4N00
特許出願人	有限会社皆川商店 様
適用条文	第 29 条第 2 項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から 60 日以内に意見書を提出して下さい。

理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第 29 条第 2 項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

- ・請求項 1-6
- ・引用文献 1-3

引用文献 1 には、アミノ酸（有機酸）、タンパク質を含有する電子レンジ調理によって焼き目を付与することのできる組成物が記載されている。

また、引用文献 2 には、電子レンジ調理で焼き目を付与できる組成物を表面に保持できるように組成物中にでんぷんを含有させる構成、引用文献 3 の【0021】には前記組成物において焦げやすくするために油脂を含有させる構成が記載されている。

上記引用文献 1, 2, 3 に記載の発明は、共に電子レンジ調理によって焼き目を付与することのできる組成物に関する技術であることから、引用文献 1, 2 に記載の発明において引用文献 2, 3 に記載の発明の構成を適用して本願発明の構成とすることは当業者が容易に想到しうるものである。

また、引用文献 1 には、組成物の適用食品としては焼き魚が記載されており、これを生魚、生肉用とすることは当業者にとって困難性があるとは認められない。

さらに、上記組成物中に、味噌、しょうゆなどの発酵食品で味付けをすること

P. 2

、メラノイジンなどの焦げ目成分を添加することも当業者が適宜必要に応じてないうることであると認められる。

引 用 文 献 等 一 覧

1. 特開平11-103790号公報
2. 特開2001-128624号公報
3. 特開平10-234314号公報

先行技術文献調査結果の記録

・調査した分野 I P C 第 7 版
 A 2 3 L 1 / 0 1
 A 2 3 L 1 / 2 2 - 3 0 8

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第三部 生命工学 小石 真弓
TEL. 03(3581)1101 内線6284

部長／代理	審査長／代理	審査官	審査官補
	内田 淳子	小石 真弓	
	8 1 1 5	9 7 2 7	

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

APPENDIX B

Notice of Reasons for Rejection (Second Office Action)

Request for Participation in the Patent
Prosecution Highway Pilot Program
U.S. Patent Application No. 10/529,477
Attorney Docket No. 267265US0PCT

APPENDIX E

English-Language Translation of Notice of Reasons for
Rejection (Second Office Action)

Second office action Page 1 of 4

NOTIFICATION OF REASONS FOR REJECTION

Patent Application Number: 2002-338599
Drafting date: January 12, 2005
Examiner: Mayumi Koishi 9727 4N00
Applicant: YUGEN KAISHA MINAKAWA SHOTEN
Applicable article of the Law: Section 29, (2) and Section 36
of the Patent Law

This application should be rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 days of the mailing date hereof.

REASONS

1. The invention according to the claims below is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could have been easily made prior to this application by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention described in the following publications distributed in Japan or a foreign country prior to this application.

REMARKS

(The List of Cited Documents is shown below)

- Re: Claim 1
- Cited Document 1

Cited document 1 describes a constitution in which raw meat is dipped in an organic acid and then cooked.

Second office action Page 2 of 4

A person with ordinary skill in the art could have easily conceived to prepare liquid seasoning by adding soy sauce and the like to the taste improver described in the aforementioned document.

Furthermore, it is believed that there is any difficulty for a person with ordinary skill in the art to simply employ microwave heating as a cooking method.

Moreover, it is recognized that an effect of reducing fishy odor could have been anticipated by a person with ordinary skill in the art.

- Re: Claims 2-7
- Cited Documents 1-4

Cited document 2 describes a constitution in which a raw meat or a raw marine product is seasoned with liquid seasoning containing starch and heated in a microwave oven.

Furthermore, cited document 3 describes a constitution in which a protein is added to liquid seasoning for microwave cooking, with the result that a coating film is formed and food can be browned even if it has a low viscosity. Moreover, cited document 4 (paragraph [0021]) describes a constitution in which fat and oil is added for facilitating heating.

The inventions of cited documents 2 to 4 all are directed to a technique concerning a seasoning agent for microwave cooking. Retaining liquid seasoning on the surface of food firmly and giving a burning appearance (golden brown) quickly are recognized as common objects. Therefore, a person with ordinary skill in the art could have easily conceived to make a

Second office action Page 3 of 4

constitution, that is, adding a protein and fat and oil to the liquid seasoning according to cited document 1.

In addition, as is shown in cited document 1, it is commonly known to suppress fishy odor of butcher meat and sea food by an organic acid. Therefore, a person with ordinary skill in the art could have easily arrived at the constitution, that is, adding an organic acid to the liquid seasoning according to cited reference 1 mentioned above, for this purpose.

2. The application fails to satisfy the provision of Section 36 (6) (ii) on the grounds that the claims are defective in the following respect.

REMARKS

The constitution defined by the expression: "an organic acid such as acetic acid, citric acid, succinic acid ... tartaric acid" is unclear by the wording of "such as". More specifically, it is unclear whether an organic acid is selected from the group consisting of acetic acid, citric acid, succinic acid, malic acid, lactic acid, butyric acid and tartaric acid or selected from the group (category) consisting of the aforementioned organic acids and other organic acids. Hence the invention cannot be clearly specified.

(note that novelty/inventive step is judged on the assumption that an organic acid is selected from the group consisting of acetic acid, citric acid, succinic acid, malic acid, lactic acid, butyric acid and tartaric acid.)

Second office action Page 4 of 4

List of Cited Documents

1. Japanese Patent Application Laid-Open No. 5-91855
 2. Japanese Patent Application Laid-Open No. 7-227241
 3. Japanese Patent Application Laid-Open No. 11-103790
 4. Japanese Patent Application Laid-Open No. 10-234314
-

Record of Prior Art Search Report

• Searched Field: IPC 7th ed.

A23L1/01, 1/22-308

The record of the prior art search report does not constitute the reasons for rejection.

P. 1

拒絶理由通知書

特許出願の番号	特願2002-338599
起案日	平成17年 1月12日
特許庁審査官	小石 真弓 9727 4N00
特許出願人	有限会社皆川商店 様
適用条文	第29条第2項、第36条

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1. この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記 of 刊行物に記載された発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

・請求項1

・引用文献1

引用文献1には、生肉を有機酸に浸漬して調理する構成が記載されている。

上記文献に記載のうま味改良剤を醤油等を加えて調味液とすることは当業者が容易に想到しうるものである。

また、調理方法を単に電子レンジ加熱とすることも格別の困難性はない。

さらに、生臭さが減少するという効果も当業者が予測しうるものと認められる。

・請求項2-7

・引用文献1-4

引用文献2には、澱粉を含有する調味液で生肉あるいは生の水産物を調味して電子レンジで加熱する構成が記載されている。

また、引用文献3には、電子レンジ用の調味液としてタンパク質を含有させて皮膜の形成により低粘度の食品にもきれいな焦げ目をつける構成が、また引用文献4の【0021】には加熱促進のため油脂を含有させる構成が記載されている

P. 2

引用文献2-4に記載の発明は、共に電子レンジ用調味料に係る技術であること、調味液を表面にしっかり保持させることや速く焦げ目をつけようとすることは周知の課題であると認められることから、引用文献1に記載の発明の調味液に

タンパク質および油脂を添加する構成とすることは当業者が容易に想到しうるものである。

また、引用文献1にも示されるように有機酸によって獣肉、魚介類の生臭みを抑制させることも周知のものであり、該目的のために上記引用文献1に記載の調味液に有機酸も添加する構成とすることも当業者が容易に想到しうるものである。

。

2. この出願は、特許請求の範囲の記載が下記の点で、特許法第36条第6項第2号に規定する要件を満たしていない。

記

「酢酸、クエン酸、コハク酸、・・・酒石酸といった有機酸」との構成について、「といった」との表現によって上記構成は「酢酸、クエン酸、コハク酸、リンゴ酸、乳酸、酪酸、酒石酸」のいずれかから選ばれるものなのか、あるいはそれ以外の有機酸も含むカテゴリーから選ばれるものなのか不明であり、発明を明確に特定できない。

(なお、新規性進歩性の判断にあたっては、「酢酸、クエン酸、コハク酸、リンゴ酸、乳酸、酪酸、酒石酸」のいずれかから選ばれるものと仮定した。)

引用文献等一覧

1. 特開平5-91855号公報
2. 特開平7-227241号公報
3. 特開平11-103790号公報
4. 特開平10-234314号公報

先行技術文献調査結果の記録

- ・調査した分野 IPC第7版 A23L1/01, 1/22-308
この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がござい

P. 3

ましたら下記までご連絡下さい。

特許審査第三部 生命工学 小石 真弓
TEL. 03(3581)1101 内線6284

部長／代理	審査長／代理	審査官	審査官補
	内田 淳子	小石 真弓	
	8 1 1 5	9 7 2 7	

Disclaimer:

This English translation is produced by machine translation and may contain errors. The JPO, the INPIT, and those who drafted this document in the original language are not responsible for the result of the translation.

Notes:

1. Untranslatable words are replaced with asterisks (****).
2. Texts in the figures are not translated and shown as it is.

Translated: 22:33:25 JST 01/07/2008

Dictionary: Last updated 12/14/2007 / Priority:

Decision to Grant a Patent

Application number: Application for patent 2002-338599

Date of Drafting: Heisei 17(2005) May 16

Patent examiner: KOISHI, Mayumi 9727 4N00

Title of invention: The microwave oven cooking method of uncooked meat or an unboiled-water product, the seasoning for microwave oven cooking, and microwave oven cooking food

The number of claims: 6

Applicant: Minagawa store

This application is to be granted a patent as there is no reason for refusal.

Director General(p.p.) Director(p.p.) Examiner Assistant examiner Manager for Determination
of Classification NAKAJIMA, Yoko KOISHI, Mayumi MURAKAMI, Kimitaka 8416 9727 8827

1. Distinction of Patent: Usually

2. Reference documents: **

3. Application of Patent Law, Section 30: Nothing

4. Change of Title of Invention: Nothing

5. International Patent Classification (IPC)

A23L 1/31 A, A23L 1/01 C, A23L 1/22 C, A23L 1/325 A

6. Deposition of Microorganism

7. Display of Purport that Retroactivity of Filing Date is not Accepted

Decision to Grant a Patent(Memorandum)

Application number: Application for patent 2002-338599

1. Technical Fields to Be Searched (IPC, 7th Edition, DB Name)

A23L 1/31 A23L 1/325 A23L 1/01 A23L 1/22-308

2. Reference patent documents

JP,11-103790,A (JP, A) JP,10-234314,A (JP, A) JP,2001-128624,A (JP, A) JP,05-091855,A (JP, A) JP,07-227241,A (JP, A)

3. Reference books and magazines

[Translation done.]